REMARKS

Reconsideration and allowance are respectfully requested. No new subject matter has been added.

35 USC § 102

Claims 20, 23-28 stand rejected under 35 U.S.C § 102(e) as allegedly being anticipated by US Patent No. 7,209,916 B1 by Seshadri et al. These rejections are respectfully traversed.

Claim 20 has been amended to recite: "A method of managing data conveyance between a data distribution device and a data output device, the method performed at the data output device comprising: determining whether a command to modify data conveyance rules is received; if the command to modify has been received, sending a message to the data distribution device indicating that the data conveyance rules are to be modified including identification data for specifying the data conveyance rules that are to be modified, the data conveyance rules pertaining to messages subsequently delivered to the data output device; determining if a message specifying a user interface corresponding to a rule template and a parameter associated with the data conveyance rules that are to be modified has been received from the data distribution device; if the message specifying the user interface has been received, generating the specified user interface; determining whether a command indicating specification of the parameter has been received via the generated user interface; and if the command specifying the parameter has been received, sending a message comprising a specification of the parameter to the data distribution device for changing the data conveyance rules" (for support, see, inter alia, specification pars. 21-24, FIGs. 1, 5). Claim 25 was similarly amended.

To present a valid anticipation rejection under 35 U.S.C. §102, the Office must identify a single prior art reference in which "each and every element as set forth in the claim is found,

either expressly or inherently described." MPEP §2131 quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The 35 U.S.C. §102 rejections over Seshdari fail to satisfy this burden.

Seshadri relates to systems for delivery of notifications and performance of automated auctions for users in the framework of an ad-hoc rules processing environment. Delivery of notifications to users can be based on personal preferences. In addition, with Seshadri, users can specify current user states (e.g., busy, relaxed, traveling, present) which can affect communications flow to the user.

The claims recite communications between a data distribution device and a data output device. With the current claims, a message indicating that data conveyance rules are to be modified are received by the data distribution device from the data output device. Seshadri fails to disclose such an arrangement. In particular, the passage cited in the Office Action, namely col. 10, lines 19-23, describes that FIG. 6 describes a modification of the example of FIG. 5, not that data conveyance rules are to be modified. Moreover, the quote from this section mischaracterizes the reference in that the From_Rule is not modified, but rather, that external messages are processed by rules logic as well as one or more incoming messages. As a result, Seshadri cannot be construed to disclose that a message indicating that data conveyance rules are to be modified as recited in claims 20 and 25.

In addition, based in part by its failure to receiving a message indicating that data conveyance rules are to be modified, Seshdari also fails to disclose that a rule template can be identified that is associated with the data conveyance rules based on identification data as recited in the claims. Col. 9, line 65 to col. 10, line 17 of Seshdari describes an arrangement in which an InBox rule is invoked upon receiving e-mail, and that such InBox rule corresponds to an existing

template. The claims, as amended, clarify that the data conveyance rules pertain to rules of data conveyance for messages other than the message containing the data conveyance rules. Seshdari simply describes routing messages based on a particular sender.

Furthermore, Seshdari fails to disclose sending a message specifying a user interface that corresponds to the rule template and a parameter associated with the data conveyance rules to be modified. The rule template described on col. 11, lines 42-45 of Seshdari, simply states that a rule template can specify that if a new message is urgent, then queued messages are sent along with the new message. Seshdari does not disclose a message sending a user interface as specified in the claims, and as a result, Seshdari also fails to disclose a subsequent message that specifies the parameter is received.

Accordingly, claims 20, 25, and their respective dependent claims should be allowable.

Rejections under § 103

Claims 1, 4, 5, 7-9, 11, 14-16, and 19-22 stand rejected under section 103(a) as allegedly being unpatentable over Seshadri in view of Serrano-Morales et al. (U.S. Publication No. 2002/0032688 A1). Claims 2, 3, 10, 12, 17, 21, 22, and 29 stand rejected under section 103(a) as allegedly being unpatentable over Seshadri in view of Serrano-Morales et al. in view of Abrari et al. (U.S. Publication No. 2002/0120917 A1). Claim 6 stands rejected under section 103(a) as allegedly being unpatentable over Seshadri in view of Serrano-Morales et al. and in further view of Carlson et al. Claim 13 stands rejected under section 103(a) as allegedly being unpatentable over Seshadri in view of Abrari. These rejections are respectfully traversed.

For a proper rejection under 35 U.S.C. §103(a), the Office "bears the initial burden of factually supporting any prima facie conclusion of obviousness" and must therefore present "a

clear articulation of the reason(s) why the claimed invention would have been obvious." MPEP

§2142. An obviousness rejection "cannot be sustained by mere conclusory statements; instead,

there must be some articulated reasoning with some rational underpinning to support the legal

conclusion of obviousness." MPEP §2141 quoting KSR International Co. v. Teleflex Inc., 82

USPQ2d 1386, 1385 (2007). This rationale must include a showing that all of the claimed

elements were known in the prior art and that one skilled in the art could have combined the

elements as claimed by known methods with no change in their respective functions, to produce

a combination yielding nothing more than predictable results to one of ordinary skill in the art.

KSR, 82 USPQ2d at 1395. MPEP §2141.02 further notes that "a prior art reference must be

considered in its entirety, i.e., as a whole, including portions that would lead away from the

subject matter recited in the pending claims. W.L. Gore & Associates, Inc. v. Garlock, Inc., 721

F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). It is respectfully

submitted that the stated rejections under 35 U.S.C. §103(a) fail to satisfy this burden.

Claim 1 has been amended to recite: "A method performed at a data distribution device,

the method comprising: determining whether a first message indicating that data conveyance

rules are to be modified has been received from a data output device, the data conveyance rules

pertaining to messages delivered to the data output device other than the first message; if the first

message to modify has been received, identifying a rule template associated with the data

conveyance rules based on an identification data, the identified rule template comprising at least

one parameter; sending, from the data distribution device to the data output device, a second

message specifying a user interface corresponding to the rule template and the parameter

associated with the data conveyance rules that are to be modified; determining whether a third

message comprising a specification of the parameter has been received from the data output

device in response to the third message specifying the user interface; and if the third message specifying the parameter has been received, creating a rule by binding the rule template with the specified parameter" (for support, see, inter alia, specification pars. 21-24, FIG. 1). Claim 10 was similarly amended.

Claim 15 has been amended to recite: "determining whether a message sent by a data output device indicating that data conveyance rules are to be modified has been received at a data distribution device, the data conveyance rules pertaining to messages delivered to the data output device other than the first message; if the message to modify has been received, identifying, by the data distribution device, a rule template associated with the data conveyance rules based on an identification data, the identified rule template comprising at least one parameter; generating and sending, by the distribution device to the data output device, a message specifying a user interface corresponding to the rule template and the parameter associated with the data conveyance rules that are to be modified; determining, by the data distribution device, whether a message comprising a specification of the parameter has been received from the data output device; and if the message specifying the parameter has been received, creating, by the data distribution device, a rule by binding the rule template with the specified parameter" (for support, see, inter alia, specification pars. 21-24, FIG. 1).

Claim 29 has been amended to recite: "A system comprising: a data output device; and a data distribution device; the data output device operable to: determine whether a command indicating that data conveyance rules are to be modified has been received from the data distribution device, if the command has been received, send a message to the data distribution device indicating that data conveyance rules are to be modified, determine if a message specifying a user interface corresponding to a set of rule templates has been received from the

data distribution device, the user interface comprising natural language descriptions of business functions of data conveyance rules created with the templates, if the message has been received, generate the user interface, determine whether a command indicating that one of the templates in the set has been selected has been received, if the command has been received, send a message to the data distribution device indicating selection of one of the templates in the set, determine if a message specifying a user interface corresponding to the selected rule template and a parameter of the selected rule template has been received from the data distribution device, the user interface comprising a natural language description of the parameter, if the message has been received, generate the user interface, determine whether a command indicating specification of the parameter has been received, and if the command has been received, send a message comprising a specification of the parameter to the data distribution device; and the data distribution device operable to: determine whether the message indicating that data conveyance rules are to be modified has been received from the data output device, if the message has been received, identify a set of rule templates associated with the data conveyance rules to be modified, send the message specifying a user interface corresponding to a set of rule templates to the data output device, determine whether the message indicating selection of one of the templates in the set has been received from the data output device, identify a parameter for the selected template, send the message specifying a user interface corresponding to the selected rule template and a parameter of the selected rule template to the data output device, determine whether the message comprising a specification of the parameter has been received, if the message has been received, create a rule by binding the rule template with the specified parameter, translate the rule into a rule engine format, determine whether a message comprising

a subscription request has been received from the data output device, if a subscription request has been received, identify data conveyance rules associated with the subscription request, and send data in accordance with the identified rules to the data output device" (for support, see, inter alia, specification pars. 21-24, FIGs. 1, 5).

Seshadri relates to systems for delivery of notifications and performance of automated auctions for users in the framework of an ad-hoc rules processing environment. Delivery of notifications to users can be based on personal preferences. In addition, with Seshadri, users can specify current user states (e.g., busy, relaxed, traveling, present) which can affect communications flow to the user.

The claims recite communications between a data distribution device and a data output device. With the current claims, a message indicating that data conveyance rules are to be modified are received by the data distribution device from the data output device. Seshadri fails to suggest such an arrangement. In particular, the passage cited in the Office Action, namely col. 10, lines 19-23, describes that FIG. 6 describes a modification of the example of FIG. 5, not that data conveyance rules are to be modified. Moreover, the quote from this section mischaracterizes the reference in that the From_Rule is not modified, but rather, that external messages are processed by rules logic as well as one or more incoming messages. As a result, Seshadri cannot be construed to suggest that a message indicating that data conveyance rules are to be modified as recited in the claims.

In addition, based in part by its failure to receiving a message indicating that data conveyance rules are to be modified, Seshdari also fails to suggest that a rule template can be identified that is associated with the data conveyance rules based on identification data as recited in the claims. Col. 9, line 65 to col. 10, line 17 of Seshdari describes an arrangement in which an

InBox rule is invoked upon receiving e-mail, and that such InBox rule corresponds to an existing template. The claims, as amended, clarify that the data conveyance rules pertain to rules of data conveyance for messages other than the message containing the data conveyance rules. Seshdari simply describes routing messages based on a particular sender.

Furthermore, Seshdari fails to suggest sending a message specifying a user interface that corresponds to the rule template and a parameter associated with the data conveyance rules to be modified. The rule template described on col. 11, lines 42-45 of Seshdari, simply states that a rule template can specify that if a new message is urgent, then queued messages are sent along with the new message. There is no suggestion of a message sending a user interface as specified in the claims, and as a result, Seshdari also fails to suggest that a subsequent message that specifies the parameter is received.

The Serrano-Morales reference relates to generation of user interfaces to generate rules. There is no suggestion that such a user interface can be specified in a message sent to a data output device so that a parameter can be modified at the data output device so that a subsequent message can be sent to a data distribution device so that data conveyance rules can be modified. Rather, Serrano-Morales simply relates to a user interface in which rules can be edited according to definitions specified by rules templates and rule element providers.

Due in part on the failure of Seshdari to suggest the aspects described above, the skilled artisan would not have resulted in subject matter of claims 1, 10, 15, and 29 by combining Seshdari, with any of the cited references, singly or in combination, including, inter alia, Serrano-Morales, Abrari, and/or Carlson et al.
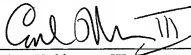
Accordingly, claims 1-19, 21-23, and 29 should be allowable.

CONCLUDING COMMENTS

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. For at least the foregoing reasons, Applicant respectfully submits that the Examiner's rejections have been overcome and all pending claims are in condition for allowance. Reconsideration and allowance are requested.

Prior to filing this response, the undersigned made several calls to the Examiner which have gone unanswered. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-358.

Respectfully submitted,

Date: March 3, 2009

Carl A. Kukkonen, III
Reg. No. 42,773

Address all written correspondence to
Customer No. 64280
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Phone: 858.314.1500
Fax: 858.314.1501